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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,882	10/29/2001	Sebastien Bouat	50003545 -3	8291

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EXAMINER

GEREZGIHER, YEMANE M

ART UNIT

PAPER NUMBER

2144

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/032,882	BOUAT, SEBASTIEN	
	Examiner	Art Unit	
	Yemane M. Gerezgiher	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 04 August 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-17 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 04 August 2005 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

1. This application has been examined. Claims 1-17 remain pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 11, 13 and 15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ma et al. (U.S. Patent Number 6,795,867) hereinafter referred to as Ma in view of Brendel (U.S. Patent Number 6,772,333).

As per claims 1, 2, 7-14, and 16 Ma disclosed:

A method/system for processing messages incoming on a gatekeeper system of an Internet Protocol network, [Abstract, Figs. 3A-4, Column 2, Lines 35-65, Column 4, Lines 30-39, Ma disclosed a Load Management Unit hereinafter referred to as LMU in a gatekeeper system processing calls in IP voice telephony] wherein the gatekeeper system includes a plurality of sub-

processes each able to process a series of such messages, [Figs. 3A-3B, (302-306 and 352-356), Column 7, Lines 32-61] the method including the step of dispatching the messages incoming on the gatekeeper system onto the different sub-processes, the dispatching step including identifying whether a message belongs to a same call as a previous message [Column 7, Lines 23-42], and, in that case, sending the message to the same sub-process as that to which the previous message was sent [Fig. 4, Column 8, Lines 3-63, Ma taught assigning/dispatching of a message/call to a gatekeeper process if a previously registered gatekeeper process for the call is determined (Column 8, Lines 59-63)].

Ma substantially disclosed the invention as claimed. However, Ma was silent about the details of identifying the message/call using a session identifier and directing the call to the same process that previously processed the call. However, as evidenced by the teachings of Brendel, such a technique was commonly known in the art of load balancing at the time the invention was made (see Column 2, Lines 27-50). Brendel disclosed receiving the message in an encoded form and partially decoding the message to identify the session ID that identifies the message, further examining the extracted fields of the message in order to identify the call as recited in claims 7-10, see Abstract, Column 5, Lines 45-67, Column 7, Line 25 through Column 8, Line 67, Column 9, Lines 2-27, Column 9, Line 63 through Column 10, Line 4 and Column 15, Lines 4-7, Brendel disclosed retrieving session identifiers from

encoded messages by partially extracting from the header information of the message).

Thus, it is respectfully submitted that it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the teachings of Brendel related to analyzing session identification and load balancing in a clustered system by directing requests to the same server process that previously processed request associated with a particular session and have modified the teachings of Ma related to a clustered gatekeeper system having therein plurality of gatekeeper processes, because "when the same server receives all the users connections, then local traffic to other servers is minimized and latency is reduced" (Column 2, Lines 51-54).

As per claim 3, Ma disclosed processing the calls, which is applied in a H323 network [Column 4, Lines 40-64].

As per claim 4, wherein the messages to be dispatched are "Registration, Admission and status" (RAS) messages [Column 4, Lines 60-64].

As per claim 5, Ma disclosed identifying whether the message is a registration or an admission message, and, if the message is identified as a registration message, determining the sub-process to which the message is going to be dispatched on the basis of the current load of the different sub-processes in order to balance the load of the different sub-processes [Column 6, Lines 45-51, Column 7, Lines 8-23].

As per claim 6, Ma disclosed identifying whether the message is a

registration or an admission message, and, if the message is an admission message, determining whether the message is the first admission message of a call, and, in that case, determining the sub-process to which the message is going to be dispatched on the basis of the current load of the different sub-processes in order to balance the load of the different sub-processes [Column 6, Lines 45-51, Column 7, Lines 8-23].

As per claims 15 and 17, Ma disclosed:

A method/system for processing messages incoming on a gatekeeper system of an Internet Protocol network [Abstract, Figs. 3A-4, Column 2, Lines 35-65, Column 4, Lines 30-39, Ma disclosed LMU in a gatekeeper system processing calls in IP voice telephony], wherein the gatekeeper system comprises a plurality of sub-processes each able to process a series of such messages; and further wherein the messages enter the gatekeeper system [Figs. 3A-3B, (302-306 and 352-356), Column 7, Lines 32-61] in an encoded form and comprise a plurality of fields, at least one of which contains data for identifying a call, the method including the step of dispatching the messages incoming on the gatekeeper system onto those different sub-processes, the dispatching step including identifying whether a message belongs to the same call as a previous message, and, in that case, sending the message to the same sub-process as the previous message, and further wherein the dispatching step includes decoding the message only partially, the decoded part including said one or several fields which contain those data [Fig. 4, Column 7, Lines 23-42,

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Column 8, Lines 3-63, Ma taught assigning/dispatching of a message/call to a gatekeeper process if a previously registered gatekeeper process for the call is determined (Column 8, Lines 59-63)].

Ma substantially disclosed the invention as claimed. However, Ma was silent about the details of receiving encoded message and decoding partially (the header information of a message) identifying the message/call using a session identifier and directing the call to the same process that previously processed the call. However, as evidenced by the teachings of Brendel, such a technique was commonly known in the art of load balancing at the time the invention was made (see Column 2, Lines 27-50). Furthermore, Brendel disclosed receiving the message in an encoded form and partially decoding the message to identify the session ID that identifies the message (Column 5, Lines 45-67, Column 7, Line 25 through Column 8, Line 67 and Column 15, Lines 4-7).

Thus, it is respectfully submitted that it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the teachings of Brendel related to analyzing session identification and load balancing in a clustered system by directing requests to the same server process that previously processed request associated with a particular session and have modified the teachings of Ma related to a clustered gatekeeper system having therein plurality of gatekeeper processes, because “when the same server receives all the users connections, then local traffic to other servers is

minimized and latency is reduced" (Column 2, Lines 51-54).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - a. Kliland et al. (US 6738383 B1) entitled: "Arrangement for distributing and dispatching traffic in a network, especially H.323 generated traffic"
 - b. Bennefeld et al. (US 6519249 B1) entitled: "Scalable gatekeepers in an internet telephony system and a method of operation"
 - c. Albert et al. (US 6742045 B1) entitled: "Handling packet fragments in a distributed network service environment"
 - d. Belkin et al. (US 6938085 B1) entitled: "Mechanism for enabling session information to be shared across multiple processes"
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yemane M. Gerezgiher whose telephone number is (571) 272-3927. The examiner can normally be reached on 9:00 AM - 6:00 PM Mon - Fri.

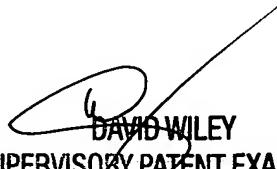
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached at (571) 272-3923. The fax

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phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yemane M. Gerezgiher
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DAVID WILEY
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